

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF TUESDAY, SEPTEMBER 12, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, September 12, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Martha Nagy, Sibby Davis, Robert Weinstein, Linnet Hultin, Cindy Worthington, Lisa Olson, Paula Goldberg, Norman Pope, John Hopkins, Harry Terkanian, Brenda Boleyn, Joel Searcy, Diane Eib, Tom and Jill Delbanco, Tracey Rose, Austin Rose, Larry Pisapio, Pat Pajaron, and Kahrin Deines of the Banner. Mr. Gaechter convened the meeting at 6:00 p.m.

**Minutes:** Mr. Palmer moved to approve the minutes of the regular and Executive Sessions of August 29, 2006, as presented, and to hold the Executive Session minutes in abeyance. Mr. Lucy seconded it. Vote: 5-0, unanimous.

**Public Comment:** Linnet Hultin asked about the no parking signs that have been put up at the North Truro park. She has had some of her customers ask how they were supposed to enjoy the park when there was no place to park. Also, during their Truro Treasures flea market, people have traditionally parked along there. She went to the Police Department to see if they would suspend the no parking for that one day, and was told that the BOS put the signs up. Ms. Nolan said Mr. Morris told her they were mulching the sides of the roads and putting up signs. Mr. Palmer wondered when the BOS had voted to put up no parking signs. Mr. Gaechter said they didn't and he guessed the signs were put up to keep out the heavy equipment that had been parking there. He thought it was appropriate to provide a couple of parking spaces there. He thought if the no parking was suspended, the mulch would be all torn up, but the alternative would be people parking along the highway. Ms. Hultin told them that the signs only face in one direction, so not all motorists can see them. Mr. Gaechter directed Ms. Nolan to notify the Chief that no one is to be ticketed and also note to put signs on both sides of the street. He told her to get together with Mr. Morris on this and report back to the BOS.

Mr. Weinstein thanked the BOS for their unanimous support in appointing him to the Planning Board, and he also wanted to thank them for the role they played in the recent reappointment of Skip Childs to the Rescue Squad.

**Plans for a Veteran's Memorial:** Mr. Pope reported that his group has worked all summer on identifying names of Veterans of four conflicts: WWI, WWII, Korean and Vietnam. They are working on a design and getting a figure for the fall STM. Because they don't have a figure yet, they plan to ask the town for up to \$50k; they can probably get it for less than that, though. He described what they have in mind and the problems they have encountered getting records. He said the question they have is where it will go. The consensus of their group and of the input received from veterans, is that they would prefer a site where more people would see it. After a discussion on various locations, they suggested it be placed at Pamet Park. Mr. Gaechter asked them to come back to the Board with a drawing and a proposal for them; they will consider the new park for a site, but want a proposal first. Mr. Pope asked if the BOS would consider the new park. Mr. Gaechter said personally, he would oppose it. Mr. Palmer, Mr. Lucy, and Ms.

Worthington saw no problem with that site. Mr. Hartman said he didn't either, but how the monument would look will determine for him what site is best, and he wants to see a design first. Mr. Pope said it would be about 6 feet by 8 feet. Mr. Gaechter said they should expand the design to plan for the future wars. Cindy Worthington commented that a town committee worked on this about 15 years ago, and at that time it was to be placed at the park across from Jams and be named Memorial Park. They discussed how to signify those killed in action, and how hard it is to get the records.

**Conservation Restriction:** Ms. Goldberg of The Compact of Cape Cod Conservation Trusts, Inc. explained that they are purchasing a conservation restriction on property located at 10 Quail Way and owned by Tom and Jill Delbanco. She detailed the value of conserving this parcel. The Conservation Commission supports it. **Mr. Palmer moved to approve the conservation restriction. Mr. Hartman seconded it. Vote: 5-0, unanimous.** Mr. Gaechter discussed that Town Counsel has suggested the BOS not sign until after it had been accepted by the EOE. Ms. Goldberg explained that she has already received the State's comments and they have no issues with it. **Mr. Gaechter moved to authorize the signing of the conservation restriction. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Water Hook-up:** This request is for the proposed Tradesman's Park. **Mr. Gaechter moved to approve a water hook-up to the Provincetown water line for Tri-S Properties, LLC, 352 Route Six. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Resignation:** **Mr. Gaechter moved to accept with regret the resignation of Guy Strauss from the Tercentennial Celebration Committee and that a letter of thanks be sent to him. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**One-Day Liquor License request:** **Mr. Palmer moved to approve the request from Truro Vineyards of Cape Cod for a one-day wine license for September 17, 2006 from 12:00 noon until 6:00 p.m. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Joint meeting with the Board of Health:** Mr. Gaechter said he would like to use this time to discuss cooperation between the BOH and other Boards. He wondered if they had discussed the proposed changes in their Regulations, for example, Section 7, Article 1, increasing wetland set back to 150 feet, with other Boards, such as ConsCom; are other pertinent Boards consulted. Mr. Hartman agreed; he used as an example the Planning Board's concern with affordable housing; the BOH makes affordable housing strategies possible and they should coordinate so that the town moves forward. Mr. Pisapio said that they didn't consult directly, and Ms. Eib explained that over a two year period and at public meetings that anyone can attend, they had input from the LCP via member Ms. Brown, and their Secretary Ms. Travers. They worked with former Health Agent Susan Rask who had a great deal of experience with what other towns do. They also consulted the meeting minutes of other Boards. The revision work was all done with Town Counsel present to keep them in tune with State regulations and the experiences of other towns. She was a very good source. Mr. Gaechter commented that not having any other master plan other than the LCP, it behooves them to work closely together, to be sure that changes don't

negatively impact what another Board is doing. Ms. Eib said they looked at zoning to be sure it didn't. She understands the Selectmen's view and wishes they had said something two years ago; now the BOH is ready to move. The BOH also has a variance policy under which they look at requests on a case by case basis, on its own merits. Mr. Palmer said the BOH overlaps with the ZBA. Discussion next centered on whether Section 2 should mention propane gas. Ms. Eib felt it was adequately covered by the phrase "not limited to". Mr. Hartman congratulated them for their hard work. Ms. Eib said the BOH feels the revisions are in the best interest of the Town of Truro and the future of the town. Mr. Hartman thought it would be good to get the four regulatory boards, Planning, ZBA, BOH and ConsCom, together to find common strategy. Ms. Eib thought that was a good idea. She said that having a combination Health/Conservation Agent has been very helpful in bringing the ConsCom's concerns to the attention of the BOH. Mr. Lucy had some specific questions regarding the section on regulations to supplement Title V. Ms. Eib answered his questions and stressed again the use of variances. The BOH feels strongly that this will protect the environment. Mr. Palmer asked when the public hearing is scheduled. Ms. Eib said it will be held September 26<sup>th</sup> at 4:00 p.m. at the Town Hall. Copies of the revision are available at the Administration office and at the Health Agent's office.

**Dump Dance: Mr. Gaechter moved to authorize the dump dance for September 17, 2006 from 6:00 p.m. until 10:00 p.m. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Policy Memorandum #38, Facilities Naming:** Ms. Nolan explained that the revisions the BOS requested were made. Mr. Gaechter questioned if #6 should say approval of town meeting instead of the BOS. The rest of the Board felt it was alright for the BOS to approve any naming requests that may be made by corporations. **Mr. Gaechter moved to approve the policy as drafted. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Chapter 90 funds:** Ms. Nolan explained that the Town Clerk did not wish to sign this confirming Mr. Gaechter's signature as signatory authority since it had not been voted by the Board. **Mr. Palmer moved to approve the contract with the State for Chapter 90 funds and to authorize the Chair to sign it. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Town Administrator's Report: (action items)**

- Reported on the Flex bus. Mr. Gaechter directed Ms. Nolan to call MAHighway about our request to use state property for the new location for the bus stop. If there is no response, then contact our representatives.
- Asked the BOS if they would like the NIMS training set up for daytime or nighttime. It is also available online. The BOS directed her to e-mail the web address to them.
- Received information from Ms. Nickerson on the question of pets in emergency shelters. She will continue to work on this.

**Selectmen/Liaison Reports: (action items)**

- Worthington:** -Reported on the BOFE meeting. It is going well. Mr. Childs is back on. There will be some restructuring of positions. Mr. Gaechter thanked her for getting involved.
- Questioned where we are re: Snow's Landing. Ms. Nolan said the surveys are done and

we are waiting for an opinion from Town Counsel. Mr. Gaechter said that they need to act on that.

- Requested that a letter of commendation be sent to Officer Roach and Staff Sgt. Costa for their action in stopping a dangerous person and putting him in custody. Ms. Nolan will draft a letter for the BOS to sign.

**Palmer:** -Reported the WROC has set the next informational meeting on North Union Field Road for September 21<sup>st</sup> at the PSF at 6:00 p.m. Attorney Ford will be there to answer questions.

**Gaechter:** -Revisited their decision regarding recognition of Mr. Asher-Best and Mr. Rose. Earlier they had decided to place a plaque at Pamet Park. Mr. Palmer said that letters should be sent. A letter has already been drafted for Mr. Asher-Best, and Ms. Worthington will put a draft together for Mr. Rose.

- The Energy Committee is going to approach the BOS about expanding their Charge.

- Expressed his concern that the BOS has wanted more handicapped and elder access at our beaches and nothing ever happens. Beach Commission member Julie DuPree was happy to report to him that on her last walk at Head of the Meadow a pole and rope system was in place. If it proves to be successful, similar ones can be placed at other beaches. She has been told repeatedly that handicapped access will be very difficult to achieve at the steeply sloping beaches. Mr. Gaechter directed Ms. Nolan to have Mr. Morris put together a proposal within the next couple of months for the BOS to look at and give to the Beach Commission. Ms. Worthington wondered if we had ever looked at getting one of those beach wheel chairs. Ms. DuPree noted that we already did have two for use at Corn Hill Beach.

**Lucy:** -Announced that his brother-in-law will be employed by the Cecil Group, but will have nothing to do with the Community Center project, so there is no conflict.

- Requested that Ms. Nolan invite John Portnoy to the meeting of the 26<sup>th</sup> to report on the status of the East Harbor restoration project.

**Next week's agenda: County Commissioner's report, Ms. Walker of the USPS, Recreation Commission applicant interviews. Mr. Gaechter requested a 5:00 p.m. start time.**

**At 7:53 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to discuss negotiations and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.**

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Alfred Gaechter, Chairman

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Gary Palmer, Vice-Chairman

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Christopher R. Lucy, Clerk

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Curtis Hartman

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Janet W. Worthington  
Board of Selectmen, Town of Truro